

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6027-CR-ZLOCH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHNNIE POWELL.

Defendant.

ORDER

THIS MATTER is before the Court upon the Defendant, Johnnie Powell's Appeal & Objections From Magistrate Judge's Order Denying Motion For Bill Of Particulars (DE 46). The Court has carefully reviewed said Appeal & Objections and the entire court file and is otherwise fully advised in the premises.

The Court notes that the Defendant has appealed from United States Magistrate Judge Barry S. Seltzer's ore tenus order of May 11, 2000 denying the Defendant's Motion For Bill Of Particulars (DE 34). An order denying a motion for a bill of particulars is nondispositive in nature and, therefore, subject to the clearly erroneous or contrary to law standard of review. 28 U.S.C. § 636(b)(1)(A).

Upon careful review, the Court finds that the Magistrate Judge's ore tenus order denying the Defendant's Motion For Bill Of Particulars (DE 34) was not clearly erroneous or contrary to law.

Accordingly, after due consideration, it is

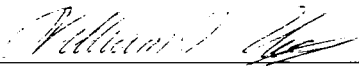
ORDERED AND ADJUDGED as follows:

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1. The Defendant, Johnnie Powell's Appeal From Magistrate Judge's Order Denying Motion For Bill of Particulars (DE 48) be and the same is hereby **DENIED**; and

2. The Defendant, Johnnie Powell's Objections To Magistrate Judge's Order Denying Motion For Bill of Particulars (DE 48) be and the same are hereby **OVERRULED**.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida this 12th day of June, 2000.



WILLIAM J. ZLOCH
United States District Judge

Copies furnished:

The Honorable Barry S. Seltzer
United States Magistrate Judge

Robin Rosenbaum, Esq., AUSA
For Plaintiff

Martin J. Bidwill, Esq., AFPD
For Defendant